

**LODI CITY COUNCIL  
SPECIAL CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, NOVEMBER 15, 2005**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of November 15, 2005, was called to order by Mayor Beckman at 7:01 a.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Blackston

B. REGULAR CALENDAR

- B-1 “Discussion and potential action regarding the impending exclusive operating contract award to American Medical Response by the County Board of Supervisors for ambulance service throughout San Joaquin County”

Fire Chief Pretz explained that the County Board of Supervisors would be voting today to affirm the recommendation made by the Emergency Medical Services (EMS) Agency concerning the delivery of ambulance service in San Joaquin County. Chief Pretz believed that the Request for Proposal (RFP) used in this process was flawed and asked permission to annunciate his concerns to the Board of Supervisors. He stated that there was no provision for, or recognition of, fire department EMS in the RFP. Chief Pretz expressed his opinion that to ignore the fire department component of delivering emergency medical services was “ludicrous.” He was opposed to going through a private secondary Public Safety Answering Point. Currently, all fire departments in the County use Stockton Fire Department’s dispatch, and Chief Pretz believed that what is now being proposed would fragment a system that works.

Council Member Hansen stated that his goals in this matter were for the cost to be as low as possible for citizens and that the dispatch system enables the fastest response time possible.

In reply to Mayor Pro Tempore Hitchcock, Chief Pretz recalled that a joint venture agreement was entered into last year between the cities of Stockton and Lodi and American Medical Response (AMR) to be a joint bidder in the County RFP. AMR pulled out of the agreement and they are currently in litigation with Stockton over it.

City Manager King reported that Lodi has developed an expensive infrastructure, which costs \$8 million a year and allows a four-minute response time. It is desired that the ambulance system reflect that investment. Mr. King felt that it should not be a separate stand-alone system that does not take advantage of the public investment that has already been made. Further, he stated that a stand-alone process would be redundant and inefficient.

Mayor Beckman pointed out that the County believes the proposal is a more efficient system. He asked if the City could save some cost by reducing the existing infrastructure that would not be utilized under the proposal.

Chief Pretz indicated that no cost would be saved because it is still needed for fire protection. He explained that in other arrangements emergency calls get simultaneously dispatched to the fire department and ambulance. Once the fire department arrives (which is typically first) and begins to administer care, it stops the response time clock for the ambulance (i.e. eight minutes maximum). Chief Pretz stated that this saves the ambulance company and citizens’ money by reducing the private ambulance company’s overhead. He suggested that this savings be split between the fire department, who is first on scene, and the ambulance company.

Mayor Pro Tempore Hitchcock asked why AMR would start its own dispatch system, to which Chief Pretz surmised that AMR believed that it could do it better. Further, he explained that there has been a long history of animosity between the County and the city of Stockton and he suggested that this could be a way to "get even."

PUBLIC COMMENTS:

- Brad White of American Medical Response distributed and reviewed a packet of materials (filed). In a letter dated November 15, AMR Chief Executive Officer, Louis Meyer, responded to a November 10 memorandum by Chief Pretz. In it, Mr. Meyer mentioned that in early August 2005 he had advised Chief Pretz of the impasse in negotiations with the city of Stockton. Mr. Meyer wrote to Chief Pretz on August 16 that, *"We do not believe our impasse with Stockton constitutes an impediment to finalizing a proposed arrangement with Lodi that meets the foregoing criteria, and would be pleased to proceed with further discussions toward that goal."* Mr. White noted that the County Health Services Director has reviewed all protests to the RFP and determined them to be without merit.

City Attorney Schwabauer commented that AMR stated that Lodi pulled out of the joint venture agreement; however, it did not. Several negotiations took place between the City Attorney's Office and AMR's counsel, in which AMR proposed changing the agreement, but the City declined to do so.

Mr. White reported that Chief Pretz sent a letter to AMR dated September 7, in which he wrote, *"We will not commit to any provider until the RFP process has been concluded. At the conclusion of the bid process, however, we are looking forward to discussing a future partnership. It is our hope that such a partnership will be included in the final contract with the San Joaquin County EMS Agency."* Mr. White mentioned that Chief Pretz also had referenced monies that Priority One offered in its proposal to pay the Lodi Fire Department for its first response services. Mr. White reported that Priority One's proposal would have required the citizens of Lodi to pay an additional \$349.88 each time they used an ambulance in order to pass those dollars back to the City. In reference to the issue of dispatching, Mr. White stated that it is Lodi's choice whether to stay with Stockton Fire Department's dispatch, use the Lodi Police Department for dispatch, or use AMR's.

In answer to questions posed by Council Member Hansen, Mr. White explained that the award of the contract precluded ambulance fees being raised in order to provide funding for first responder engines. An informal agreement has been made between AMR and the city of Tracy to work on this issue after the award of the contract.

Council Member Hansen asked whether the agreement reached between the city of Tracy and AMR would be available to Lodi, to which Mr. White stated he had no doubt that a "win-win" conclusion could be reached.

In reply to Council Member Johnson, Mr. White confirmed that AMR's Option B proposal would reduce the cost of ambulance dispatch to Lodi by \$80,000. Mr. White reported that the tuition for paramedic training is \$9,000 per student.

Mayor Pro Tempore Hitchcock asked Mr. White why AMR did not opt to use Stockton's dispatch system.

Mr. White replied that the cost of the Stockton Fire Department to dispatch a call is \$25.52 and AMR's cost is \$19.50. In addition, he explained that due to the animosity between Stockton and AMR it was not deemed advantageous to have Stockton handle AMR's dispatch. He noted that ambulances are responsible for significant financial penalties if call responses are not made appropriately and the dispatch component can control the response time. Mr. White reported that when Stockton dispatches AMR and the Lodi Fire Department, both are charged \$25.52. AMR's proposal would split one charge between two entities, so that Lodi would be charged only \$9.75 – if it chose to use AMR's dispatch center.

- Michael Parker of Priority One Ambulance read sections from the joint venture agreement between Lodi, Stockton, and AMR. He noted that it is currently in federal court and Mr. Parker believed Lodi was a party to the action. He alleged that, because of the agreement, AMR was precluded from bidding on the County's RFP. Mr. Parker reviewed portions of Priority One's proposal to the County. He claimed that AMR's "Passport" dispatching system was not "project 25" approved and has never been used in a 911 environment. He stated that a similar situation occurred in Contra Costa County and there were additional charges added by the ambulance company that were not disclosed in the original RFP. He gave examples of the added charges such as for supply costs and wait time.

In answer to Council Member Hansen, City Attorney Schwabauer confirmed that the joint venture agreement did state that a joint bid would be submitted, though it was not. He advised Council that whether it wished to raise this point with the County Board of Supervisors was a political decision, rather than a legal one. He stated that the City of Lodi is not an actual party to the action in federal court; however, it may be considered a necessary or indispensable party.

In reply to Mayor Beckman, Mr. Schwabauer acknowledged that the Stockton Fire Department and Rural Metro submitted an RFP to the County.

Council Member Mounce wanted issues raised by AMR today (in the information it submitted to Council) to be referenced in the RFP. She supported Chief Pretz' request to speak to the Board of Supervisors.

Mayor Pro Tempore Hitchcock also expressed support for Chief Pretz' request and agreed with the concerns he had outlined. She felt that the RFP process should begin anew.

Council Member Hansen concurred that Chief Pretz be allowed to express concerns about the process and that the fire departments response component was not recognized.

Council Member Johnson stated that every objection raised has been satisfactorily answered by County staff. He was opposed to any further attempts of obstruction and felt that the process should be allowed to proceed.

Mayor Beckman expressed agreement with Mr. Johnson's statements.

#### MOTION:

Mayor Pro Tempore Hitchcock made a motion, Mounce second, that authorization be given to Chief Pretz to attend the County Board of Supervisors meeting and speak on behalf of the City Council and Lodi to express concern regarding the flawed RFP process and changing to a private dispatch provider that might impede Lodi's EMS and response time.

#### DISCUSSION:

Mayor Beckman did not believe that the RFP process was flawed.

Council Member Hansen suggested that the motion be amended to direct Chief Pretz to express the concerns of the Council to the process that would drastically change the cooperative working environment between fire and ambulance services.

*(NOTE: No response was made to the suggested amendment to the motion.)*

Council Member Johnson reiterated that Lodi has an option to stay with Stockton Fire Department's dispatch if it chose to. He noted that Chief Pretz has already conveyed his dissatisfaction with the RFP process through various communications. He was opposed to Chief Pretz' request to voice his concerns again at today's Board of Supervisors meeting.

Chief Pretz clarified to Council that he wished to express to the County Board of Supervisors that the RFP process was flawed and that the fire service should not have been left out of the pre-hospital care component.

Mayor Pro Tempore Hitchcock reiterated her support for Chief Pretz' request and agreed with his statements. She clarified that her motion was to allow Chief Pretz to speak before the Board of Supervisors today and express the concerns he iterated this morning.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, and Mounce

Noes: Council Members – Johnson and Mayor Beckman

Absent: Council Members – None

C. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:55 a.m.

ATTEST:

Susan J. Blackston  
City Clerk